



POLICY # AD 026

CONFIDENTIALITY

DEPARTMENT: ADMINISTRATION

APPROVAL DATE:	2017-05-74 (May 23, 2017)
REVISION DATE (s):	
REVIEW DATE (s):	

POLICY STATEMENT

The County is committed to protecting the confidentiality of its employees, contractors and the public, as well as the County’s business interests, and recognizes its duty, statutory or otherwise, to do so.

PURPOSE

The purpose of this Policy is to establish the County’s expectations regarding the treatment of Confidential Information and Confidential Materials, as hereinafter defined, consequences for non-compliance and to provide consistent guidelines for all employees.

DEFINITIONS

In this Policy, the following definitions apply:



- 1) "Confidential Information" means any and all information generated, collected by or used in the County's business or operations, or resulting from any work performed by an Employee for or on behalf of the County, including but not limited to:
 - a) matters of a technical nature such as trade secret processes or devices, know-how, data, formulas, inventions (whether or not such inventions have been protected by patent, copyright, trademark or industrial design), specifications and characteristics of products or projects planned or being developed and research subjects, methods and results;
 - b) matters of a business nature including, but not limited to, *in camera* Council meetings, costs, profits, pricing policies, markets, sales, suppliers, ratepayers, contractors, business opportunities and marketing plans or strategies; and
 - c) any other information not generally disclosed by the County to the public; and
- 2) "Confidential Materials" means any and all documentary information and tangible items considered confidential by the County which contain Confidential Information including, but not limited to, any drawings, specifications, component specifications, raw material analysis, background research information, blueprints, samples, flow charts, models, notes, memoranda, papers, reports and technical data sheets, whether electronic or hard copy.

POLICY

1. CONFIDENTIALITY

- 1.1 Employees will have access to and will acquire Confidential Information and Confidential Materials during the course of their employment with the County, and must maintain the secrecy and confidentiality of Confidential Information and Confidential Materials.
- 1.2 All Confidential Information and Confidential Materials are the sole and exclusive property of the County and shall remain the property of the County, or such other party as designated by the County from time to time.
- 1.3 All Employees shall:
 - a) treat the Confidential Information and Confidential Materials acquired during the course of employment as being secret and confidential;
 - b) not use any of the Confidential Information and Confidential Materials in any way whatsoever either for his/her own benefit or the benefit of any person, organization, company or municipality other than the County;



- c) not disclose, communicate, provide or otherwise make available any of the Confidential Information and Confidential Materials to any person, organization, company or municipality other than the County or its designated employees or other parties expressly authorized by the County in writing, unless otherwise required by statute or court order;
 - d) not permit or suffer any act, matter or thing whereby any Confidential Information and Confidential Materials may be disclosed or communicated to or ascertained by others except insofar as the County may expressly authorize in writing; and
 - e) not reproduce or copy any of the Confidential Information and Confidential Materials except as permitted by the County, and any reproductions or copies allowed to be made by the County shall not be removed from the County's premises without the prior written consent of the County.
- 1.4 The Employee shall assist the County in securing title to and protection for the County's rights in and to the Confidential Information and Confidential Materials.

2. TERMINATION

- 2.1 Upon termination or conclusion of the employment of an Employee with the County, the Employee shall:
- a) make no further use of any Confidential Information and Confidential Materials;
 - b) continue to treat as secret and confidential all Confidential Information and Confidential Materials in accordance with the provisions of this Policy;
 - c) immediately and unconditionally return to the County, or to such other person as the County may direct, all notes, papers, memoranda, files, drawings, reports, copies, summaries, records, descriptions, modifications and adaptations that the Employee has made to or from the Confidential Information and Confidential Materials, and all other documentary information and tangible items in the possession, custody or power of the Employee which relate to or embody all or any part of the Confidential Information and Confidential Materials; and
 - d) promptly execute such instruments and take such steps as in the reasonable opinion of the County may be necessary or appropriate in order to give effect to the provisions of this Article.
- 2.2 This Policy, including but not limited to Articles 1.3, 1.4 and 2.1, is intended to survive the termination or conclusion of the employment of any Employee.



3. DISCIPLINE

- 3.1 The County views the rules and guidelines contained in this Policy to be of the utmost Importance. Any deviation from the above terms will result in disciplinary action that may include immediate dismissal for just cause.